

REMARKS

Examiner's comments in the Office Action marked "FINAL" and dated July 18, 2006 have been read and carefully considered by Applicants. In view of such comments, Applicants have amended the claims as set forth herein. In particular, independent claims 1, 9, 21, 29, and 40 and also dependent claims 2, 4, 5, 8, 10-12, 15, 23-26, 28, 30, 32-35, 38, 39, and 42-50 have all been amended to better highlight the patentable differences of Applicants' proposed invention as compared to the prior art cited by Examiner in the Office Action. In amending these claims, however, Applicants maintain that no new matter has been introduced into the present Application.

Aside from the claims amended herein, no other claims have been altogether newly cancelled, and no entirely new claims have been added. Thus, claims 1, 2, 4, 5, 8-12, 15, 21, 23-26, 28-40, and 42-50 remain pending in Applicants' present Application for Examiner's consideration, while previously cancelled claims 3, 6, 7, 13, 14, 16-20, 22, 27, and 41 remain withdrawn from Examiner's consideration.

At the present time, it is Applicant's good faith belief that the pending claims, as presented herein, are both novel and non-obvious. Therefore, Applicant respectfully avers that the pending claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

Objections to Claims:

In the Office Action, Examiner objected to claims 8-12, 15, 23-26, and 28 due to some informal drafting errors set forth therein. In response, Applicants have herein amended claims 8-12, 15, 23-26, and 28 to correct such errors. In so amending these claims, Applicants respectfully maintain that no new matter has been introduced into the present Application.

Rejections of Claims under 35 U.S.C. § 112, ¶ 1:

Also in the Office Action, Examiner rejected claims 40 and 42-50 under 35 U.S.C. § 112, ¶ 1, for having subject matter set forth therein that Examiner deemed to be not fully enabled by Applicants' specification as originally filed. In response, Applicants' have herein amended claims 40 and 42-50 so that all subject matter set forth therein is properly enabled by Applicants' specification as originally filed. In so amending these claims, Applicants respectfully maintain that no new matter has been introduced into the present Application.

Rejections of Claims under 35 U.S.C. § 112, ¶ 2:

Moreover, in the Office Action, Examiner also rejected claims 21, 23-26, and 28 under 35 U.S.C. § 112, ¶ 2, as being impermissibly incomplete for omitting one or more essential claim elements or features. In response, Applicants' have herein amended claims 21, 23-26, and 28 so that all subject matter set forth therein is complete and not omitting any essential claim elements or features. In so amending these claims, Applicants respectfully maintain that no new matter has been introduced into the present Application.

Rejections of Claims under 35 U.S.C. § 103(a):

In the Office Action, claims 1, 2, 4, 5, 8-12, and 15 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over United States Patent Number 6,980,626, which was issued to Burkhard Groh *et al* on December 27, 2005 (hereinafter "Groh"), in view of Japanese Patent Application Number 10-275378, which was published for Nonaka Hideki on April 11, 2000 ("Hideki"). Also in the Office Action, claims 21, 23, and 28 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of United States Patent Number 5,021,770, which was issued to Kazuo Aisaka *et al* on June 4, 1991 ("Aisaka"), and in further view of United States Patent Number 6,244,507, which was issued to Harry Garland *et al* on June 12, 2001 ("Garland"). Moreover, in the Office Action, claims 24-26 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of Aisaka, in view of Garland, and in further view of United States Patent Number 4,426,725, which was issued to John Grady on

January 17, 1984 (“Grady”). Further in the Office Action, claims 29-37 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of United States Patent Application Publication Number 2005/0267351, which was published for Louis Humphrey *et al* on December 1, 2005 (“Humphrey”). Also in the Office Action, claim 38 stands rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of Humphrey, and in further view of United States Patent Application Publication Number 2001/0051881, which was published for Aaron Filler on December 13, 2001 (“Filler”). Moreover, in the Office Action, claim 39 stands rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of Humphrey, in view of Filler, and in further view of United States Patent Application Publication Number 2002/0194035, which was published for Andrew DiRienzo on December 19, 2002 (“DiRienzo”). Further in the Office Action, claims 40, 42, 43, and 46 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of United States Patent Application Publication Number 2003/0169847, which was published for Andrew Karellas *et al* on September 11, 2003 (“Karellas”), and in further view of United States Patent Number 6,920,465, which was issued to Wataru Motoki on July 19, 2005 (“Motoki”). Also in the Office Action, claims 44 and 45 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of Karellas, in view of Motoki, and in further view of United States Patent Number 6,628,745, which was issued to Martin Annis *et al* on September 30, 2003 (“Annis”). Furthermore, in the Office Action, claims 47-49 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh in view of Karellas, in view of Motoki, and in further view of United States Patent Number 6,504,897, which was issued to Hisashi Yonekawa on January 7, 2003 (“Yonekawa”). Lastly, in the Office Action, claim 50 stands rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Groh, in view of Karellas, in view of Motoki, in view of Yonekawa, and in further view of United States Patent Number 6,005,911, which was issued to Lim Cheung on December 21, 1999 (“Cheung”).

In response to Examiner’s rejections in the Office Action, Applicants have herein amended independent claims 1, 9, 21, 29, and 40 and also dependent claims 2, 4, 5, 8, 10-12, 15, 23-26, 28, 30, 32-35, 38, 39, and 42-50. In view of such claim amendments, Applicants now respectfully traverse the 35 U.S.C. §103(a) rejections set forth in the Office Action.

In particular, claims 1 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Groh et al., and further in view of Nonaka.

According to Examiner's comments in the Office Action, Groh teaches a method as recited in Applicants' claim 1. Examiner in the Office Action, however, recognizes that Groh fails to disclose periodically updating a first image display through stopping a current exposure in a second imaging plane and reading a scatter image update resulting from an exposure in a first plane. Furthermore, according to Examiner in the Office Action, Nonaka teaches periodically updating a first image display through stopping a current exposure in a second imaging plane and reading a scatter image update resulting from an exposure in a first plane. (See figure 2 and also paragraphs 24 and 25).

In response, Applicants respectfully submit that claims 1 and 9 are non-obvious because the claims and the prior art differ. In particular, the system taught by Groh is conventional in that it includes an x-ray arrangement for compensating for scattered radiation and does not, as pointed out in the Office Action, include the steps of periodically updating a first image display through stopping a current exposure in a second imaging plane and reading a scatter image update resulting from an exposure in a first plane as do Applicants. Claims 1 and 9, as set forth herein, include these elements (i.e., method steps) that are geared to halting an exposure in one plane and reading scatter from an exposure in another plane and, from this scatter signal, updating an image display.

Furthermore, the Hideki system is conventional in that it includes a biplane imaging system. More importantly, Hideki neither teaches nor suggests the step of periodically updating an image through stopping a current exposure. The Applicants have reviewed sections of the reference cited in the Office Action and do not find any support for this. This allows a user to automatically receive more information from a dual scan than was previously possible such that a full scan may not be necessary given the information periodically received from the scatter signal. Because the prior art either alone or in combination with other prior art references does not teach all of the limitations set forth in Applicants' claims 1 and 9, Applicants respectfully maintain that these claims are allowable.

Since claims 2-5, 8, 10-12, and 15 are dependant on claims 1 and 9, Applicants believe these claims to also be allowable for at least the same reason(s) that claims 1 and 9 are deemed allowable as set forth hereinabove.

As mentioned hereinabove, claims 29-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Groh in view of Humphrey. According to the Office Action, regarding claims 29-31 and 33, Groh teaches a method as recited above. However, the Office Action recognizes that Groh fails to teach the step of generating a digital data representative of a characteristic of an object, a person's name, identification number, or physical condition, and generating a request for payment of money based upon at least said third digital data.

Furthermore, the Office Action alleges that Humphrey teaches the step of generating a digital data representative of a characteristic of an object (paragraph 4), a person's name, identification number, or physical condition (paragraph 47), and generating a request for payment of money based upon at least said third digital data (paragraph 6).

Applicants, however, respectfully maintain that it would not have been obvious to combine the references as suggested by Examiner in the Office Action. In particular, "obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1672, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). Even if all of the elements of Applicants' invention are disclosed in various prior art references, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art of why one of ordinary skill would have been prompted to combine the teachings of the references to arrive at Applicants' claimed invention.

Groh is directed to a typical system and method for compensating for scatter radiation. More importantly, Groh neither teaches nor suggests that the system thereof would be in any way beneficial to generating digital data based on characteristics of an object and generating a request for money. Further, Humphrey is directed to a method for linking image archives to an

information system. Humphrey, however, does not suggest (nor does Groh) that combining the linking method of Humphrey with the scatter compensation system of Groh would be in any way beneficial for generating a request for money based on object characteristics. Neither Groh nor Humphrey teaches or suggests such a combination. Therefore, because no teaching or suggestion is found in any of the references for the combination of elements set forth in Applicants' claim 29, claim 29 is believed to be allowable.

Claims 30-39 depend from claim 29 and are believed to be allowable for at least this reason. Also, regarding Examiner's rejection of claim 38 over Groh, Humphrey, and Filler, as mentioned, claim 38 depends from claim 29 and is believed to be allowable for at least this reason. Furthermore, regarding the rejection of claim 39 over Groh, Humphrey, Filler, and DiRienzo, as mentioned, claim 39 depends from claim 29 and is believed to be allowable for at least this reason.

Regarding the rejection of claim 40 and 43 over Groh in view of Karellas, the Applicants have rendered claim 40 to include the elements of claim 41, which are not taught by these references. Claim 43 depends from the amended claim 40 and is believed to be allowable for at least this reason.

Claims 42 and 46 stand rejected as being unpatentable over Groh and Karellas, as applied to claims 40 and 43 above, and further in view of Motoki. According to the Office Action, as modified above suggests a system as recited above. However, the Office Action recognizes Groh fails to disclose wherein a data processor is further configured to store digital data representative of a characteristic of a person, wherein said characteristic is one of a person's name. Allegedly, Motoki teaches wherein a data processor is further configured to store digital data representative of a characteristic of a person, and wherein said characteristic is one of a person's name (col. 5, lines 40-45). Again, the Applicants believe that no teaching or suggestion is provided in the prior art for the proposed combination. Groh includes a scatter correction system including no mention of the system for object characteristic/identification information storage and use; Karellas includes a typical fluoroscopic scanning system also including no such mention; and Motoki includes a typical radiography system that happens to include storing a patient's name. More importantly, none of the systems suggest that the name

storage articulated in Motoki would be beneficial to the scatter subtraction system of Groh. The Office Action recognizes benefits found in claim 40 including easier image identification but provides no reason why one skilled in the art would be motivated to combine these systems to arrive at the present invention. For this reason, Applicants believe the amended claim 40 is non-obvious. Furthermore, since claims 42-50 are dependent on amended claim 40, these claims are believed to be allowable for at least this same reason.

Furthermore, claims 44 and 45 stand rejected as being unpatentable over Groh and Karellas as applied to claim 43 above, and further in view of Annis. Also, claims 47-49 stand rejected as being unpatentable over Groh, Karellas, and Motoki as applied to claim 46 above, and further in view of Yonekawa. Claim 50, last of all, stands rejected as being unpatentable over Groh, Karellas, Motoki, and Yonekawa, as applied to claim 49 above, and further in view of Cheung. As mentioned, these claims depend from amended claim 40 and are therefore believed to be allowable for at least this reason.

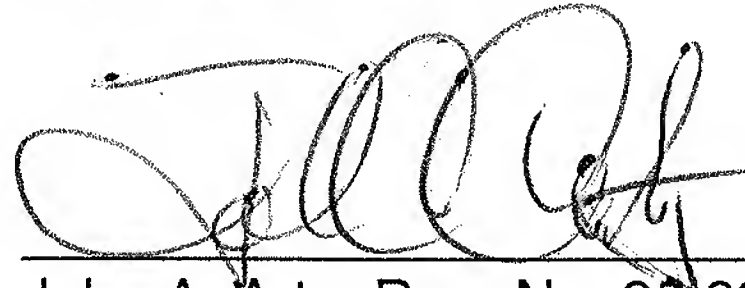
CONCLUSION

In view of the claims as amended and also the foregoing remarks, Applicants respectfully submit that independent claims 1, 9, 21, 29, and 40, as well as claims 2, 4, 5, 8, 10-12, 15, 23-26, 28, 30-39, and 42-50 dependent thereon, are non-obvious with respect to the teachings of Groh, Hideki, Aisaka, Garland, Grady, Humphrey, Filler, DiRienzo, Karellas, Motoki, Annis, Yonekawa, and Cheung. Therefore, Applicants respectfully request that Examiner's rejections under 35 U.S.C. § 103(a) be withdrawn and that a Notice of Allowance be issued for all claims 1, 2, 4, 5, 8-12, 15, 21, 23-26, 28-40, and 42-50.

Should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicants' undersigned attorney at (248) 223-9500.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'John A. Artz', written over a horizontal line.

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